

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GARY PIERRE-LOUIS, *on behalf of himself*,

Plaintiff,

-against-

CUSTOM METALCRAFTERS, INC., and
STEPHEN ROSNER

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 3/7/2023

1:22-cv-6717-MKV

ORDER TO SHOW CAUSE

MARY KAY VYSKOCIL, United States District Judge:

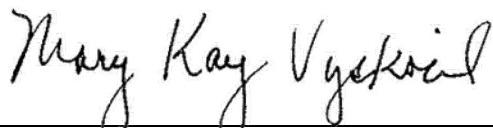
Plaintiff initiated this action by filing a complaint on August 8, 2022. [ECF No. 1.] After Plaintiff failed to file proof of service on the docket, the Court issued an Order directing Plaintiff to serve Defendants and file proof of service. [ECF No. 6.] Plaintiff then filed affidavits of service of summons and complaint on January 5, 2023 and February 2, 2023. [ECF Nos. 14, 19.] According to those summons, Defendants' responses to the complaint were due on January 12, 2023 and January 24, 2023. [ECF Nos 14, 19.] No responses were filed. The Court then issued an Order to Show Cause, directing Plaintiff to file a letter on or before March 6, 2023, showing cause why this case should not be dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. [ECF No. 27.] No letter was filed.

Accordingly, IT IS HEREBY ORDERED that, by March 13, 2023, Plaintiff **shall file a letter** showing cause why this case should not be dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. The letter should discuss whether the Court should impose the lesser sanction of monetary fines on counsel, rather than dismissing the case. **Plaintiff is on notice that he is ultimately responsible for prosecuting his case, and this case may be dismissed because of his chosen counsel's failure to prosecute his case and to comply with Orders of this Court.**

See Link v. Wabash R. Co., 370 U.S. 626, 633–34 (1962); *LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001).

SO ORDERED.

Date: March 7, 2023
New York, NY



MARY KAY VYSKOCIL
United States District Judge